



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

## License for Diversion and Use of Water

APPLICATION 19439

PERMIT 13535

LICENSE 7896

THIS IS TO CERTIFY, *That*

Eda Girolo Braren and Henry Caletti  
1290 D Street, Petaluma, California *over*

have *made proof as of* June 23, 1966,  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
an unnamed stream in Marin County

tributary to Nicasio Creek thence Lagunitas Creek thence Tomales Bay

for the purpose of domestic, recreational and stockwatering uses  
under Permit 13535 of the Board and that the right to the use of this water has been perfected in  
accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of  
this right dates from May 16, 1960 and that the amount of water to which this right is  
entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall  
not exceed twenty-three (23) acre-feet per annum to be collected from about November 1  
of each year to about April 30 of the succeeding year.

The maximum withdrawal in any one year under this right has been 23 acre-feet

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

North 800 feet and west 2200 feet from SE corner of projected Section 24, T3N, R8W,  
MDB&M, being within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 24.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE SUCH WATER  
IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

Within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of projected Section 24, T3N, R8W, MDB&M

This license is subject to the prior rights of Marin Municipal Water District  
under Permit 12800 (Application 17317) or any license which may be subsequently  
issued thereon. Should Nicasio Reservoir not fill during any season extending from  
October 1 of each year to June 30 of the succeeding year, licensees shall, upon  
demand of the Marin Municipal Water District, release from their reservoir into the  
natural stream channel, water impounded during the storage season under this license.

Provided, however, that said release by licensees is actually required for beneficial  
use by Marin Municipal Water District, and provided further, that any water released  
from Nicasio Dam by Marin Municipal Water District during the period October 1 of  
each year to June 30 of the succeeding year for other than municipal purposes,  
downstream prior rights, or preservation of fishlife, shall be considered surplus  
regardless of the level of Nicasio Reservoir at the time of said release, and licensees  
shall be entitled to retain an equivalent amount of water for storage even though  
Nicasio Reservoir does not fill.

Licensee shall maintain an outlet pipe of adequate capacity in his dam as near as  
practicable to the bottom of the natural stream channel, or provide other means  
satisfactory to the State Water Rights Board, in order that water entering the  
reservoir or collected in the reservoir during and after the current storage season  
may be released into the downstream channel to the extent necessary to satisfy the  
downstream prior rights and/or to the extent that appropriation of said water is not  
authorized under this right.

DEC 6 '66 J.R.H.

*Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.*

*All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.*

*Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.*

*The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 4 1967

11-22-76 Int. of Eda Girola Braren asgd to George S. Girola to George S. Girola, 1290 D Street  
Petaluma, Ca 94952

L. K. Hill  
Executive Officer

09/20/1999 ASGD TO DOUGLAS AND CATHY IELMORINI

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